

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	CR No.: 0:02-1173-JFA
)	
v.)	ORDER
)	
ROBERT MADISON BROOKS)	
)	
)	

The defendant has filed a second motion under 18 U.S.C. § 3582 to reduce his sentence under Amendment 706 of the United States Sentencing Guidelines. The defendant's first motion to reduce (ECF No. 736, filed March 5, 2009) was denied by this court on April 28, 2009(ECF No. 745). The court indicated in that order that because Amendment 706 did not have the effect of lowering his guideline range, the court could not reduce his sentence.

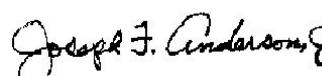
On January 3, 2012, this court granted the defendant's § 3582 motion pursuant to Amendment 750 of the United States Sentencing Guidelines and reduced his sentence to 292 months.

Under *United States v. Goodwyn*, 596 F.3d 233 (4th Cir. 2010), this court is without authority to consider a second § 3582 motion or a motion for reconsideration of the initial order denying the reduction under Amendment 706.

Accordingly, the defendant's motion (ECF No. 1011) is denied.

IT IS SO ORDERED.

January 28, 2013
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge